

REMARKS

Upon entry of the present amendment, claims 40-45 will have been amended to clarify the recitations thereof. The amendments to the claims contained in the present response are not intended to narrow the claims and have not been made in view of the prior art. Rather the amendments have been made in order to enable the recitations of the presently pending claims to more clearly describe Applicants' invention. Accordingly, the present amendments should not give rise to any prosecution history estoppel.

Initially, Applicants wish to respectfully thank the Examiner for acknowledging their claim for foreign priority under 35 U.S.C. § 119 as well as for confirming receipt of the certified copy of the foreign priority document upon which the above noted claim for foreign priority is based.

Additionally, Applicants respectfully thank the Examiner for considering the various disclosure materials filed in the various Information Disclosure Statements filed in the present application. In particular, Applicants respectfully thank the Examiner for returning the PTO-1449 forms attached to the Information Disclosure Statements filed in the present application on June 7, 2002, June 16, 2004, August 8, 2005, May 30, 2007, and September 19, 2007.

In the outstanding Official Action, the Examiner did not indicate any objections to the specification or drawings. In this regard, Applicants respectfully request that the Examiner, in the next Official Action in the present application, explicitly indicate that the drawings in the present application have been accepted, in order to complete the record of the present application.

In the outstanding Official Action, the Examiner acknowledged Applicant's election of embodiment 2 and that previously pending claims 1-39 have been canceled and that newly submitted claims 40-45 are pending.

In the outstanding Official Action, the Examiner rejected claims 42 and 45 under 35 U.S.C. § 112, first paragraph. In this regard, the Examiner indicated that the claims contained subject matter which was not described in the specification in such a manner as to reasonably convey, to one skilled in the relevant art, that the inventors, at the time the application was filed, had possession of the claimed invention. The Examiner noted a phrase of claims 42 and 45 and indicated that the original specification does not provide support for this phrase.

By the present response, Applicants have changed the above noted phrase to ensure that it is fully supported by the original specification. In this regard, Applicants have amended the language of claims 42 and 45 to recite (utilizing the language of claim 42 as an example) "a charger that does not perform charging for the preview or performs charging according to a length of the preview". Support for this phrase and terminology of claims 42 - 45 is found at least at page 37, lines 5 through 8 of Applicants' original specification, as quoted by the Examiner in setting forth the above noted rejection. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection of any claims in the present application under 35 U.S.C. § 112.

In the outstanding Official Action, the Examiner rejected claims 40, 41, 43, and 44 under 35 U.S.C. § 102 (e) as being anticipated by SEZAN et al. (U.S. Patent Application Publication No. 2005/0060641). The Examiner additionally rejected claims

42 and 45 under 35 U.S.C. § 103 (a) as being unpatentable over SEZAN et al., in view of RUSSO (U.S. Patent No. 5, 619, 247).

Applicants respectfully traverse each of the above noted rejections and submit that they are inappropriate with respect to the combination of features recited in Applicants' claims. In particular, Applicants respectfully submit that the disclosure of SEZAN et al., is inadequate and insufficient to anticipate the combination of features recited in each of Applicants' claims. Moreover, Applicants respectfully submit that even the disclosures of the two references combined by the Examiner, are also inadequate and insufficient to render unpatentable the dependent claims that these rejections are asserted against.

Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections together with an indication of the allowability of all of the claims pending in the present application, in due course. Such action is now believed the appropriate and proper and is thus respectfully requested, in due course.

Applicant's invention is directed to a media distribution apparatus as well as to a media distribution method. Utilizing the media distribution apparatus recited in claim 40 as a nonlimiting example of Applicants' invention, the apparatus includes a storage section that stores views that are original media of contents, and metadata for explaining the views. The metadata comprise a plurality of segments and describe viewpoint information and time information, both assigned on a segment by segment basis. A request receiver receives, from a client, the preview distribution request that includes identification information that identifies the content, viewpoint information included in the content, and desired time information. The identification information and the viewpoint information are both selected from list information that is distributed in

advance. The list information comprises the identification information and the viewpoint information of the content as well as playback time information of the content. A media extractor/generator extracts, from the metadata, a plurality of segments adapted to the viewpoint information included in the preview distribution request with respect to content corresponding to the identification information included in the preview distribution request and dynamically generates a preview that is a summary video having a time length corresponding to the desired time information included in the preview distribution request, by combining views corresponding to the extracted plurality of segments. A media transmitter transmits the generated preview to the client.

SEZAN et al. is related to an audiovisual information management system with selective updating.

In particular, SEZAN et al., provides a usage preferences description that includes at least a browsing preferences description, a filtering preferences description, a search preferences description, and a device preferences description. The browsing preferences description relates to user viewing preferences. The filtering and search preferences descriptions relate to at least one of content preferences, classification preferences, creation preferences and keyword preferences, each of at least one of audio, image and video. The device preferences description relates to the user's preferences regarding presentation characteristics

In setting forth the rejection, the Examiner asserts that the media distribution apparatus of Applicant's claims are disclosed in paragraph [0206] which discloses that audio/video program descriptions are available from the broadcast or another source such as a telephone line. The user preferences description facilitates personalization of the

browsing, filtering, search and device settings. The user preferences are stored at the user's terminal with provision for transporting it to other systems, for example via a smartcard. Alternatively, the user preferences may be stored in a server and content adaptation can be performed according to user descriptions at the server with the preferred content then transmitted to the user.

With respect to the recited storage section, the Examiner makes reference to paragraphs [0042], [0090], [0091], [0094] to [0097], [0186] and [189] as well as figures 13 through 21 of SEZAN et al. The Examiner additionally makes reference to the program descriptions scheme utilized in an MPEG--7 format for describing media content including a syntactic structure scheme 402, a semantic structure description scheme 404, a visualization description scheme 406 and a meta information scheme 408.

In paragraph [0042] SEZAN et al., discloses a program description scheme that is related to the video, still image, and/or audio information preferably includes two sets of information, namely program views and program profiles. The program views define logical structures of the frames of a video that define how the video frames are potentially to be viewed suitable for efficient browsing. For example, the program views may contain a set of fields that contain data for the identification of key frames, segment definitions between shots, highlight definitions, video summary definitions, different lengths of highlights, thumbnail set of frames, individual shots or scenes, representative frames of the video, groupings of different events and a close-up view. The program profiles define distinctive characteristics of the content of the program, such as actors, stars, rating, director, keyword identification, release date and etc. Paragraphs [0090], [0091] and [0094] through [0097] relates to the shot view, highlight view, and event view

and the descriptors thereof. Paragraph [0186] relates to the semantic structure description scheme 402 including the three modules 450, 452 and 454. Further, paragraph [0189] of SEZAN et al., discloses that the semantic structure description scheme 404 is used to specify semantic features of a video program and, in a manner similar to the syntactic structure description scheme, includes three modules.

With respect to the request receiver of Applicant's claims, the Examiner also makes reference to various specific paragraphs of SEZAN et al., as well as to Figures 7-12 and 14. Additionally, the Examiner asserts that a search, filtering and browsing (SFB) module is used to perform filtering, searching, and browsing of the programs on the basis of the information contained in the description schemes.

With respect to the media extractor/generator recited in the pending claims, the Examiner again cites a number of paragraphs and figures of the cited reference and asserts that program analysis is performed based on user request. For example if the user wishes to view a five-minute video highlight, the analysis module invokes a knowledge-based system to determine the highlights that form the best five-minute highlight summary. In particular, in paragraph [0055], lines 30-36, SEZAN et al., discloses that the system automatically generates highlights by audio or video analysis, or the program description scheme includes data indicating the frames that are presented for a five-minute highlight. Additionally, the descriptor "highlightlength" indicates which version of the highlight should be shown under the highlight view [0138]. Additionally, in paragraph [0201], SEZAN et al., indicates that various summary types may be described in the program descriptions describing multiple different views of the programs where these descriptions are utilized by the device to facilitate rapid nonlinear browsing,

viewing and navigation. The parameters of the various summary types should also be specified. In other words, a number of hierarchy level, when the key frame summary is preferred, or the time duration of the video highlight, when the highlight summary is preferred.

However, SEZAN et al., does not disclose any details with respect to how to dynamically generate highlights when the highlights are automatically generated in response to the user requests.

Furthermore, although SEZAN et al., discloses providing static video highlights such as various types of summaries such as one minute, five-minute or ten-minute highlights, SEZAN et al., does not disclose dynamically generating highlights in response to a user request as is recited in the present application. While SEZAN et al., makes reference to a five-minute highlight, SEZAN et al., provides no details as to how a five-minute highlight is generated.

With respect to the media transmitter recited in Applicants claims, the Examiner asserts that user descriptions can be stored at the server and the content adaptation can be performed according to user descriptions at the server and then the preferred content can be transmitted to the user.

Regardless of the Examiner's analysis, it is respectfully submitted that the request receiver and the media extractor/generator, as recited in the combinations of Applicants claims are not taught disclosed or rendered obvious by SEZAN. In particular, a request receiver that receives, from a client, a preview distribution request including identification information that identifies the content viewpoint information included in the content, and desired time information, the identification information and the

viewpoint information both selected from list information that is distributed in advance, the list information comprising the identification information and viewpoint information of the content as well as playback time information of the content and a media extractor/generator that extracts, from the metadata, a plurality of segments adapted to the viewpoint information included in the preview distribution request with respect to content corresponding to the identification information included in the preview distribution requests, and dynamically generates a preview that is a summary video of a time length corresponding to the desired time information included in the preview distribution request, by combining views corresponding to the extracted plurality of segments, is not disclosed by SEZAN.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection applied by the Examiner against claims 40, 41, 43, and 44.

In rejecting claims 42 and 45, the Examiner relied upon the disclosure of RUSSO et al., combination with that of SEZAN et al., applied against the independent claims. However, the Examiner did not assert that the RUSSO et al., supplies the above noted deficiencies of SEZAN et al. The Examiner merely relied upon Russo to teach a charger as recited in these claims. Accordingly, the proposed combination is inadequate and insufficient to render any of the pending claims of the present application unpatentable. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, together with an indication of the allowability of all the claims pending in the present application, in due course.

SUMMARY AND CONCLUSION


Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended each of the claims to enhance clarity and to more clearly focus on the features of the present invention. The herein contained amendments have not been made in view of the prior art. Accordingly, the present response should give rise to no prosecution history estoppel.

Applicants have additionally discussed the references relied upon by the Examiner and have discussed the features of the primary reference in detail. Applicants have additionally discussed the recitations of the presently pending claims and have contrasted the recitations of the presently pending claims with the disclosures of the cited references. Applicants have pointed out the shortcomings and deficiencies of the disclosures of the references relied upon by the Examiner with the combination of features recited in Applicants' claims. Applicants have thus provided a clear and convincing evidentiary basis supporting the patentability of all the claims pending in the present application and respectfully request an indication to such effect in due course.


Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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